

REMARKS

Applicants respectfully request further examination and reconsideration of the instant case in view of the instant response. Claims 1 and 14 have been amended herein. Claims 1-19 remain pending in the case. No new matter has been added as a result of these amendments.

Claim Objections

Claims 14-19 are rejected to because of informalities. Claim 14 has been amended to correct the informalities. Applicants request the objections to Claims 14-19 be removed.

Claim Rejections

35 U.S.C. §102

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Kunihiro et al., (JP 9045965), hereafter referred to as Kunihiro. The rejection is traversed for the following rational. Kunihiro is cited as teaching a ceramic substrate with substantially vertical sidewalls. Applicants disagree that Kunihiro teaches "substantially vertical sidewalls." In fact, Kunihiro teaches away from "substantially vertical sidewalls," because the sidewalls of Kunihiro are approximately 65 degrees (outside angle of sidewall of Figure 2) as measured with a protractor. Applicants assert that 65 degrees of 90 degrees (vertical) fails to constitute "substantially," as claimed.

Furthermore, Claim 1 has been amended to include the limitation " a standalone ceramic cavity." This claim limitation further distinguishes the present invention from the teachings of Kunihiro because with Kunihiro, the ceramic cavity is one of many ceramic cavities stamped from a single ceramic green sheet (from English translated abstract). For this rational, Claim 1 is not anticipated by Kunihiro. Applicants respectfully request that that the rejection be removed and that Claim 1 be allowed.

35 U.S.C. §103

Claims 2, 8, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kunihiro in view of Kosman et al., (U.S. Patent No. 3,821,590), herreafter referred to as Kosman. The rejection is traversed for the following rational.

As stated above, Kunihiro fails to teach or suggest "substantially vertical sidewalls" and in addition, Kunihiro fails to teach or suggest a "standalone ceramic cavity," as claimed in independent Claims 1, 8 and 14. Kosman fails to remedy the deficiencies of Kunihiro. In fact, like Kunihiro, Kosman teaches away from "substantially vertical sidewalls" by teaching in column 3, lines 64-67 "the concavities are spherical." In addition, Kosman teaches away from "a single cavity," as claimed by teaching in column 3 lines 66-67 "six cavities are situated in a ring round a central cavity." This is very different from a "single cavity," as claimed in independent Claims 1, 8 and 14.

For this rational, Claims 2, 8 and 14 are patentable over Kunihiro in view of Kosman.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kunihiro in view of Barlian (U.S. Patent No. 4,600,977), hereafter referred to as Barlian. The rejection is traversed for the following rational.

As stated above, Kunihiro fails to teach or suggest "substantially vertical sidewalls" and in addition, Kunihiro fails to teach or suggest a "standalone ceramic cavity," as claimed in independent Claims 1, 8 and 14. Barlian fails to remedy the deficiencies of Kunihiro. In fact, Barlian teaches away from embodiments of the present invention because the cavity of Barlian is preferably made of plastic (column 6, lines 24-25) which is different from the ceramic cavity as claimed. For this rational, Claim 3 is patentable over Kunihiro in view of Barlian.

Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kunihiro in view of Zou (U.S. Patent No. 6,186,649), hereafter referred to as Zou. The rejection is traversed for the following rational.

As stated above, Kunihiro fails to teach or suggest "substantially vertical sidewalls" and in addition, Kunihiro fails to teach or suggest a

"standalone ceramic cavity," as claimed in independent Claims 1, 8 and 14.

Zou fails to remedy the deficiencies of Kunihiro.

It is respectfully submitted that Zou fails to teach or suggest a ceramic package comprising substantially vertical ceramic sidewalls, as claimed. In addition, one skilled in the art would not be motivated to combine the teachings of Kunihiro with Zou because they directed towards different inventions. Kunihiro teaches a ceramic LED package and Zou teaches a linear light source, which emits light in all directions (Zou column 5 lines 1-3). For this rational, Claims 4 and 5 are patentable over Kunihiro in view of Zou.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kunihiro in view of Gleason (U.S. Patent No. 1,340,443), hereafter referred to as Gleason. The rejection is traversed for the following rational.

As stated above, Kunihiro fails to teach or suggest "substantially vertical sidewalls" and in addition, Kunihiro fails to teach or suggest a "standalone ceramic cavity," as claimed in independent Claims 1, 8 and 14. Gleason fails to remedy the deficiencies of Kunihiro.

It is respectfully submitted that Gleason fails to teach or suggest a ceramic package comprising substantially vertical ceramic sidewalls, as claimed. In addition, one skilled in the art would not be motivated to combine the teachings of Kunihiro with Gleason because they directed towards

different inventions. Kunihiro teaches a ceramic LED package and Gleason teaches a lighting unit for high-powered lights, which does not use LEDs. For this rational, Claim 6 is patentable over Kunihiro in view of Gleason.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kunihiro in view of Huang (U.S. Patent No. 6,715,901), hereafter referred to as Huang. The rejection is traversed for the following rational.

As stated above, Kunihiro fails to teach or suggest "substantially vertical sidewalls" and in addition, Kunihiro fails to teach or suggest a "standalone ceramic cavity," as claimed in independent Claims 1, 8 and 14. Huang fails to remedy the deficiencies of Kunihiro.

Huang fails to remedy the deficiencies of Kunihiro because Huang fails to teach or suggest substantially vertical ceramic sidewalls. In fact, Huang teaches away from substantially vertical sidewalls, as claimed because Huang teaches half circle cavities (Figure 5), non-vertical sidewalls. This is very different from "substantially vertical ceramic sidewalls," as claimed. For this rational, Claim 7 is patentable over Kunihiro in view of Huang.

Claims 9 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kunihiro in view of Kosman and further in view of Barlian. The rejection is traversed for the following rational.

As stated above, Kunihiro fails to teach or suggest "substantially vertical sidewalls" and in addition, Kunihiro fails to teach or suggest a "standalone ceramic cavity," as claimed in independent Claims 1, 8 and 14. Kosman and Barlian fail to remedy the deficiencies of Kunihiro.

In fact, like Kunihiro, Kosman teaches away from "substantially vertical sidewalls" by teaching in column 3, lines 64-67 "the concavities are spherical." In addition, Kosman teaches away from "a single cavity," as claimed by teaching in column 3 lines 66-67 "six cavities are situated in a ring round a central cavity." This is very different from a "single cavity," as claimed in independent Claims 1, 8 and 14.

Furthermore, Barlian also teaches away from embodiments of the present invention because the cavity of Barlian is preferably made of plastic (column 6, lines 24-25) which is different from the ceramic cavity as claimed. For this reason, Claims 9 and 15 are patentable over Kunihiro in view of Kosman in further view of Barlian.

CONCLUSION

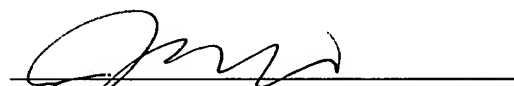
In light of the above listed remarks, reconsideration of the amended Claims is requested. Based on the arguments presented above, it is respectfully submitted that Claims 1-19 overcome the rejections and objections of record and, therefore, allowance of Claims 1-19 is earnestly solicited.

Should the Examiner have a question regarding the instant response,
the Applicants invite the Examiner to contact the Applicants' undersigned
representative at the below listed telephone number.

Respectfully submitted,

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